

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ISAAC KENNETH FULLMAN	:	CIVIL ACTION NO. 4:12-CV-2233
	:	
Plaintiff	:	(Chief Judge Kane)
	:	(Magistrate Judge Carlson)
v.	:	
	:	
EDWARD S. BLANARIK, JR.	:	
	:	
Defendant	:	

**ORDER**

Before the court in the captioned action is a November 9, 2012 report of the magistrate judge. No timely objections have been filed.

Accordingly, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Carlson.
- 2) Plaintiff's motion for leave to proceed *in forma pauperis* is GRANTED.
- 3) Plaintiff's complaint is dismissed for the failure to state a claim upon which relief can be granted. The dismissal of this action is without prejudice to any effort by Fullman to timely allege facts in an amended complaint which might state a claim upon which relief may be granted, provided that the plaintiff acts within 20 days of this dismissal order.
- 4) If Plaintiff does not file an amended complaint within 20 days of the date of this order, the Clerk of Court is directed to close the case.

5) If Plaintiff files an amended complaint within 20 days of the date of this order,  
all further proceedings in this matter are referred to Magistrate Judge Carlson.

s/ Yvette Kane  
YVETTE KANE, Chief Judge  
United States District Court

Dated: November 30, 2012